1. Overview

1.1. This policy has been developed to ensure that Curtin College and its partner providers proactively notify designated authorities of any changes in ownership, high managerial agents or intention to relocate premises as required by the ESOS Act 2000 and the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (amendment effective July 2007).

1.2. There are three separate areas of the National Code which relate to this policy:

- Standard 14.3 – notify designated authority and students of intention to relocate premises at least 20 working days prior to the relocation.
- Standard 15.1.a – notify designated authority of prospective changes to ownership as soon as practical prior to the change taking effect.
- Standard 15.1.b – notify designated authority of prospective or actual changes to high managerial agents either prior to the change taking effect or within 10 working days after the change has taken effect.

1.3. This policy has been developed in line with requirements set out in ESOS Act 2000 and the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (amendment effective July 2007).

2. Organisational Scope

2.1. This policy applies to Curtin College (Perth & Sydney).

3. Definitions

3.1. DIISRTE: Department of Industry, Innovation, Science, Research and Tertiary Education (formerly DEEWR). The Australian federal government's administrative division for policy and program development on education, science, training and administration of the ESOS legislation.

3.2. CRICOS: Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) is the Commonwealth listing of approved providers and the courses that may be offered to overseas students. Providers can only be registered on CRICOS where they have been approved by DEEWR to provide courses of education or training to overseas students in that state.

3.3. ESOS Act: The Education Services of Overseas Students Act. This Act regulates the delivery of education services to international students.

3.4. Designated Authority: A person responsible under the laws of a state for approving providers to provide courses to overseas students in that state (see Section 5 of the ESOS Act).

3.5. High Managerial Agent: An employee, agent or officer of the provider with duties of such responsibility that his or her conduct may fairly be assumed to represent the provider in relation to the business of providing courses (see Section 5 of the ESOS Act). Examples of the categories of person...
to be captured under this amendment – officers with management responsibility, consultants, principals and include teachers.

3.6. **Ownership / Management:** To be registered on CRICOS, a provider must be a resident of Australia (sections 9 and 16 of the ESOS Act 2000). A company must be incorporated in Australia, carry on business in Australia and have its central management and control in Australia. An unincorporated body must carry on its business in Australia and have its central management and control in Australia (ESOS Guide to providers, 2001, p3).

4. **Policy Principles**

4.1. The principles which underpin this policy are as follows:

4.1.1. Curtin College (Perth & Sydney) comply with the regulatory requirements of the ESOS Act and the National Code.

4.1.2. Responsible staff will make all attempts to notify regulatory authorities within the time limits set out in this policy.

4.1.3. All procedures will be made available to the public on the Curtin College websites (Perth & Sydney).

5. **Policy Content**

5.1. **Notifying Designated Authorities of Intent to move**

5.1.1. Designated authorities must be notified in writing of any intention to relocate either the Head Office location, or the campus locations at least 20 working days prior to the move. Relocations of colleges need to be made to the primary regulatory authority and relevant state authorities where applicable.

5.1.2. Enrolled students will be notified in writing (including electronic communications) of the intention to relocate premises at least 20 working days before the relocation. Enrolled students include those currently studying at the college, and any students who have been issued a Confirmation of Enrolment (CoE) to study at the College but have not yet arrived in Australia.

5.2. **Notifying Designated Authorities of prospective changes in ownership or high managerial agent**

5.2.1. Curtin College will advise the relevant designated authority in writing of any prospective changes to the ownership of the College, as soon as practicable prior to the change taking effect. ‘As soon as practicable’ means as soon as the registered provider is aware that changes to ownership / high managerial agents will take place.

5.2.2. Curtin College must advise the designated authority in writing of any prospective or actual change to the high managerial agents (as defined in Section 5 of the ESOS Act) of Curtin College as soon as practicable prior to the change taking effect or within 10 working days of the change taking effect where the change cannot be determined until it takes effect.

6. **Administrative procedures**

This policy and related documentation is accessible through the Curtin College website at: [http://www.curtincollege.edu.au](http://www.curtincollege.edu.au)

6.1. Records of all notifications to regulatory authorities and to students will be kept for a period of seven (7) years. These records will be under the responsibility of the Principal Executive Officer or delegate and the Director of Quality and Student Services or delegate.

6.2. Curtin College (Perth & Sydney) will take all necessary steps to ensure that information contained in the notifications to designated authorities is disclosed to all those persons who have a right to the information.
7. Policy Dissemination and Staff Training

7.1. This policy and related procedures will be communicated to relevant staff through staff training and Curtin College website http://www.curtincollege.edu.au

7.2. The College Director and Principal or delegate is responsible for the training of staff in the application of this policy and for publishing the policy on the website.

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<th>Version</th>
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| V 1.1   | • Update item 3.1 - name change of DEEWR to DIISTRE.  
          | • Update position title in item 6.1 |